FOR UTILITY/DESIGN " CÎP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEME **DECLARATIONS**

RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF TORNEY FOR PATENT APPLICAT

PW FORM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED STORABLE EXERCISE

APPARATUS FOR PROFESSIONAL AND HOME USE

_		(CHECK applicable BC	DX(ES))			
] is attached hereto. B. 🔀 was filed on	July 24, 2001	as U	J.S. Application No.	09/910,942	
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and (if applicable	to U.S. or PCT appli	ication) was amended o	n .		atalana an ambadad bu a	ev amondment referred to
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	LADDI ICATIONIS			Date first Lald-	Date Patented	
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PCT international a application is in add defined in 37 C.F.R application:	pplications listed above lition to that disclosed in 1. 1.56 which became a	or below and, if this is a consumer of the con	ontinuation-in-part (acknowledge the di date of each such	CIP) application, insorar into the total total total the information and the into t	ion known to me to be mational or PCT internation	Priority NOT Claimed
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further that these s Section 1001 of Tit	itatements were made vite 18 of the United Stat	es Code and that such will	iful false statement ful false statements	s and the like so made and s may jeopardize the valid	ity of the application or a	ny patent issued thereon.
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(1) INVENTOR'S	S SIGNATURE: 1	100		Dat	e: 10230	
Name	Kevin			GERSCHEFSKE		
		First	Middle Initial		Family Name	
Residence	Springfield	•	Missouri		United Sta	ites of America
		City		State/Foreign Country		Country of Citizenship
Mailing Address	2757 South	Austin Avenue, Springf	ield, MO 65807			· ·
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(2) INVENTOR	S SIGNATURE:	•		Da	te:	
Name	Juliu			HORVATH		
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⊠ FOR ADI	DITIONAL INVEI	NTORS see attach orities on attached	ed page. page (incorpo	rated herein by ref	erence). y. Dkt. No. <u>P274</u>	234
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* FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEMENTAL **DECLARATIONS**

A. is attached hereto.

Declaration.DOC

the specification of which (CHECK applicable BOX(ES))

July 24, 2001

RULE 63 (37 C.F.R. 1.62) DECLARATION AND POWER OF THE FOR PATENT APPLICATION

09/910,942

PW **FORM**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

as U.S. Application No.

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED STORABLE EXERCISE
APPARATUS FOR PROFESSIONAL AND HOME USE

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DECLARATION AND POWER OF ATTORNEY (continued) ADDITIONAL INVENTORS:

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Declaration.DOC

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DECLARATION AND POWER OF ATTORNEY (continued)

(continued) ADDITIONAL INVENTORS:

(3) INVENTOR'S SIGNATURE:			Date:				
Lee			SAN-PING				
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4) INVENTOR	'S SIGNATURE:	· IVI BEIM	70000	BRUGMAN			
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Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b) PATENT AND TRADEMARK CASES - RULES OF PRACTICE **DUTY OF DISCLOSURE**

... Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability...(b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

PATENT LAWS 35 U.S.C.

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless-

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- he has abandoned the invention, or (c)
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months* before the filing of the application in the United States, or
- the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

§103. Condition for patentability; non-obvious subject matter

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. . . .

(c) Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Six months for Design Applications (35 U.S.C. 172).